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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/624,740	07/21/2003	David S. Benco	LUTZ 2 00218	7174
<div>7590      10/11/2007</div> <div>Richard J. Minnich Fay, Sharpe, Fagan, Minnich &amp; McKee, LLP Seventh Floor 1100 Superior Avenue Cleveland, OH 44114</div>				
			<div>EXAMINER</div> <div>LE, KAREN L</div>	
			<div>ART UNIT</div> <div>2614</div>	<div>PAPER NUMBER</div>
			<div>MAIL DATE</div> <div>10/11/2007</div>	<div>DELIVERY MODE</div> <div>PAPER</div>

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

# Office Action Summary

Application No.

10/624,740

Applicant(s)

BENCO ET AL.

Examiner

Karen L. Le

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 21 July 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-30 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-30 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_.

## DETAILED ACTION

### *Claim Rejections - 35 USC § 102*

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

2. Claims 1-18 and 23-30 are rejected under 35 U.S.C. 102(a) as being anticipated by Scheuring et al (US 2002/0131565).

Regarding claims 1, 23-30, Scheuring teaches a method and system operative to facilitate the establishment of a conference call (Page 7, para 0079), the method comprising: receiving a conference scheduling call (Fig. 5, item 505) from a conference call originator (Moderator), receiving identification information regarding desired conference call participants from the conference call originator (Para 0007), receiving conference call parameter information from the conference call originator (Para 0007), sending invitations to the desired conference participants based on the identification information (Fig. 5, item 507), the invitations including response requests, receiving responses from responding desired participants (Fig. 5, item 510), attempting to schedule the conference call based on the received responses (Fig. 5, item 515), notifying conference participants of the scheduled conference call time if the attempt to schedule the conference call is successful (Fig. 5, item 532), attempting to placing calls to all the conference participants at or about the

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scheduled conference call time, and, interconnecting successfully completed calls (Fig. 5, item 555).

Regarding claim 2, Scheuring further teaches comprising: notifying the conference originator if the attempt to schedule the conference call is not successful (Fig. 5, item 545).

Regarding claim 3, Scheuring further teaches comprising: receiving a conference editing call from the conference call originator, and, receiving changes to at least one of identification information regarding the participants of the conference call and conference parameter information during the conference editing call (Fig. 5, items 520 and 527).

Regarding claim 4, Scheuring further teaches comprising: sending reminder messages to the conference participants prior to the scheduled conference call time (Fig. 5, item 540).

Regarding claim 5, Scheuring further teaches wherein receiving identification information regarding desired conference call participants comprises: receiving directory numbers regarding the desired conference participants (para 0007, required and optional participants).

Regarding claim 6, Scheuring further teaches wherein receiving identification information regarding desired conference call participants comprises: receiving names regarding the desired conference participants (Para 0007).

Regarding claim 7, Scheuring further teaches wherein receiving identification information regarding desired conference call participants comprises:

receiving a group name regarding the desired conference participants (Para 0007).

Regarding claim 8, Scheuring further teaches wherein receiving conference call parameter information comprises receiving a desired participant priority value regarding at least one desired conference call participant (Fig. 6, item 620).

Regarding claim 9, Scheuring further teaches wherein receiving conference call parameter information comprises: receiving at least one proposed conference call time (Fig. 5, item 515).

Regarding claim 10, Scheuring further teaches wherein receiving conference call parameter information comprises: receiving a purpose regarding the conference call (Fig. 5, item 620).

Regarding claim 11, Scheuring further teaches wherein sending invitations comprises: sending SMS messages to user equipment of the desired participants (Para 0070).

Regarding claim 12, Scheuring further teaches wherein sending invitations comprises: sending synthesized voice announcements to user equipment of the desired participants (Para 0078).

Regarding claim 13, Scheuring further teaches wherein sending invitations comprises: sending a menu of proposed conference times (Para 0080).

Regarding claim 14, Scheuring further teaches wherein sending invitations comprises: sending a request for an alternative conference time proposal (Para 0080).

Regarding claim 15, Scheuring further teaches wherein sending invitations comprises: sending a request that proposed conference times be ranked according

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to preference (Para 0081, engine 140).

Regarding claim 16, Scheuring further teaches wherein attempting to schedule the conference call based on the received responses comprises:

searching for a proposed conference time acceptable to all of the desired conference participants (Para 0081, engine 140).

Regarding claim 17, Scheuring further teaches wherein attempting to schedule the conference call based on the received responses comprises:

searching for a proposed conference time acceptable to a majority of the desired conference participants (Para 0081, engine 140).

Regarding claim 18, Scheuring further teaches the method of claim 8 wherein attempting to schedule the conference call based on the received responses comprises: searching for a proposed conference time acceptable to desired conference participants associated with a high priority (Para 0081, engine 140).

*Claim Rejections - 35 USC § 103*

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 19-22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Scheuring (U.S. 2002/0131565) in view of Maggenti et al (US 2002/0102999).

Regarding claim 19, Scheuring does not teach a method operative to facilitate the establishment of a conference call through the services of a mobile network, at an MSC. However, Maggenti teaches a method operative to facilitate the establishment of a conference call through the services of a mobile network, at an MSC (Abstract, Fig. 1, MSC 28, para 0071 and 0073). Maggenti teaches a mobile switching center MSC comprises a well-known inter-working function for processing data packets between the MSC and the distributed Internet network. Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the service of the mobile network as taught by Maggenti, into Scheuring's calendar system, thus making the calendar system more efficient to establish a conference call through the services of the mobile network. The MSC is responsible for routing telephone calls from the public switched telephone network to appropriate cells within a cellular telephone network. The MSC also routes the incoming calls from the cells to public switched telephone network. MSC's are well known in the cellular telephone art.

Scheuring further teaches receiving a conference scheduling call (Fig. 5, item 505) from a conference call originator (Moderator), receiving identification information regarding desired conference call participants from the conference call originator (Para 0007), receiving conference call parameter information from the conference call originator (Para 0007), sending invitations to the desired conference participants based on the identification information (Fig. 5, item 507), the invitations including response requests, receiving responses from responding desired participants (Fig. 5, item 510), attempting to schedule the conference call based on the received

responses (Fig. 5, item 515), notifying conference participants of the scheduled conference call time if the attempt to schedule the conference call is successful (Fig. 5, item 532), attempting to placing calls to all the conference participants at or about the scheduled conference call time, and, interconnecting successfully completed calls (Fig. 5, item 555).

notifying the conference originator if the attempt to schedule the conference call is not successful (Fig. 5, item 545), receiving, at the MSC, a conference editing call from the conference call originator, receiving changes to at least one of identification information regarding the participants of the conference call and conference parameter information (Fig. 5, items 520 and 527). Sending invitations to the desired conference participants based on the received changes, the invitations including response requests, receiving new responses from new responding desired participants, re-attempting to schedule the conference call based on the new responses, notifying conference participants of the scheduled conference call time if the re-attempt to schedule the conference call is successful, attempting to placing calls from the to all the conference participants at or about the scheduled conference call time, interconnecting successfully completed calls (Para 0079)

Regarding claim 20, Scheuring further teaches sending reminder messages from the MSC to the conference participants prior to the scheduled conference call time (Para.0027)

Regarding claim 21, Scheuring further teaches wherein sending invitations comprises: sending SMS messages to user equipment of the desired participants (Para



0070).

Regarding claim 22, Scheuring further teaches wherein sending reminder messages comprise: sending synthesized voice messages to user equipment of the desired participants (Para 0078).

### ***Conclusion***

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Karen L. Le whose telephone number is 571-272-7487. The examiner can normally be reached on Mon and Thurs: 8:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ahmad F. Matar can be reached on 571-272-7493. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.


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Karen Le  
KLL

September 28, 2007

  
**AHMAD F. MATAR**  
**SUPERVISORY PATENT EXAMINER**  
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